

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

VERONICA V. BURROLA,

Plaintiff,

v.

No. 10-CIV-770 GBW

SOCIAL SECURITY
ADMINISTRATION, Michael
J. Astrue, Commissioner of SSA,

Defendant.

ORDER DENYING MOTION TO PROCEED IN FORMA PAUPERIS

Plaintiff, who is seeking judicial review of the denial of her application for social security benefits, filed a Motion to Proceed In Forma Pauperis Pursuant to 28 U.S.C. § 1915. *Doc. 2.*

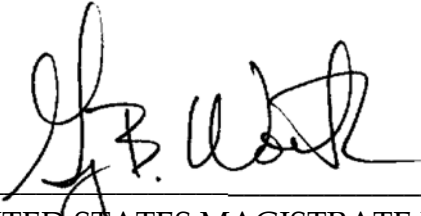
“In order to succeed on a motion to proceed IFP, the movant must show a financial inability to pay the required filing fees, as well as the existence of a reasoned, nonfrivolous argument on the law and facts in support of the issues raised in the action.” *Lister v. Dep’t of Treasury*, 408 F.3d 1309, 1312 (10th Cir. 2005) (citation omitted). Section 1915(a)(1) applies to all plaintiffs seeking IFP status. *Id.*; see also *Griffin v. Zavaras*, 336 F. App’x 846, 849 n.2 (10th Cir. 2009).

In her financial affidavit, Plaintiff claims a monthly net income of \$1348.00 and total monthly payments of \$234.00. Even recognizing the economic expenses imposed by

Plaintiff's two dependents, these financial facts do not establish that she "cannot because of [her] poverty pay or give security for the costs . . . and still be able to provide [her]self . . . with the necessities of life." *Adkins v. E.I. DuPont de Nemours & Co.*, 335 U.S. 331, 339 (1948).

IT IS THEREFORE ORDERED that Plaintiff's Motion to Proceed In Forma Pauperis Pursuant to 28 U.S.C. § 1915 (*Doc. 2*) is DENIED.

IT IS FURTHER ORDERED that, within fifteen (15) days from the date of this Order, Plaintiff shall submit the required filing fee.



UNITED STATES MAGISTRATE JUDGE